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**DECLARATION (37 CFR 1.63) FOR
UTILITY OR DESIGN APPLICATION
USING AN APPLICATION DATA SHEET
(37 CFR 1.76)**

Attorney Docket No.	0229.99
First Inventor	Linda S. Thomashow et al.
Title	Sequences Encoding PhzO and Methods
Express Mail No. / Mailing Date	EF408136186US Dec. 13, 2001

As the below named inventor(s), I/we declare that:

COPY

This declaration is directed to:

☐ The attached application, or

☒ Application No. 09/965,175, filed on September 27, 2001,

☐ as amended on _____ (if applicable);

I/we believe that I/we am/are the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought;

I/ we have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment specifically referred to above;

I/we acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me/us to be material to patentability as defined in 37 CFR 1.56, including material information which became available between the filing date of the prior application and the National or PCT International filing date of the continuation-in-part application, if applicable; and

All statements made herein of my/own knowledge are true, all statements made herein on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and may jeopardize the validity of the application or any patent issuing thereon.

FULL NAME OF INVENTOR(S)

Inventor one: LINDA S. THOMASHOW

Signature: Linda S. Thomashow

Citizen of: US

Inventor two: SHANNON M. DELANEY

Signature: _____

Citizen of: US

Inventor three: DMITRI V. MAVRODI

Signature: _____

Citizen of: RUSSIA

Inventor four: DAVID M. WELLER

Signature: David M. Weller

Citizen of: US

☐ Additional inventors are being named on _____ additional form(s) attached hereto.

Burden Hour Statement: This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is used by the public to file (and the PTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 1 minute to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

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FULL NAME OF INVENTOR(S)

Inventor one: LINDA S. THOMASHOW

Signature: _____ Citizen of: US

Inventor two: SHANNON M. DELANEY

Signature: Shannon M. Delaney Citizen of: US

Inventor three: DMITRI V. MAVRODI

Signature: _____ Citizen of: RUSSIA

Inventor four: DAVID M. WELLER

Signature: _____ Citizen of: US

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All statements made herein of my/own knowledge are true, all statements made herein on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and may jeopardize the validity of the application or any patent issuing thereon.

FULL NAME OF INVENTOR(S)Inventor one: LINDA S. THOMASHOWSignature: _____ Citizen of: USInventor two: SHANNON M. DELANEYSignature: _____ Citizen of: USInventor three: DMITRI V. MAVRODISignature: Dmitri V. MAVRODI Citizen of: RUSSIAInventor four: DAVID M. WELLERSignature: _____ Citizen of: US☐ Additional inventors are being named on _____ additional form(s) attached hereto.

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POWER OF ATTORNEY OR AUTHORIZATION OF AGENT

Application Number	09/965,175
Filing Date	09/27/2001
First Named Inventor	Linda S. Thomashow et al.
Title	Sequences Encoding PhzO and Methods
Group Art Unit	1645
Examiner Name	Not yet assigned
Attorney Docket Number	0229.99
Express Mail No. / Date	EF408136186US Dec. 13, 2001

I hereby appoint:

☒ Practitioners at Customer Number

OR

☐ Practitioner(s) named below:

25278

COPY

Name	Registration Number

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Please change the correspondence address for the above-identified application to:

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OR

<input type="checkbox"/> Firm or Individual Name					
Address					
Address					
City		State		Zip	
Country					
Telephone		Fax			

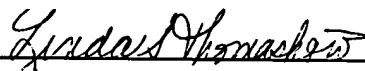
I am the:

☒ Applicant/Inventor.

☐ Assignee of record of the entire interest. See 37 CFR 3.71.

Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).

SIGNATURE of Applicant or Assignee of Record

Name	Linda S. Thomashow
Signature	
Date	December 3, 2001

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

☐ *Total of 4 forms are submitted. (Page 1 of 4)

Burden Hour Statement: This form is estimated to take 3 minutes to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

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	Filing Date	09/27/2001
	First Named Inventor	Linda S. Thomashow et al.
	Title	Sequences Encoding PhzO and Methods
	Group Art Unit	1645
	Examiner Name	Not yet assigned
	Attorney Docket Number	0229.99
	Express Mail No. / Date	EF408136186US Dec. 13, 2001

I hereby appoint:

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<input type="checkbox"/> Firm or Individual Name					
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City		State		Zip	
Country					
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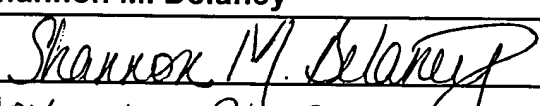
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Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).

SIGNATURE of Applicant or Assignee of Record

Name	Shannon M. Delaney
Signature	
Date	November 26, 2001

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

☐ *Total of 4 forms are submitted. (Page 2 of 4)

Burden Hour Statement: This form is estimated to take 3 minutes to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

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	Examiner Name	Not yet assigned
	Attorney Docket Number	0229.99
	Express Mail No. / Date	EF408136186US Dec. 13, 2001

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Address					
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Country					
Telephone		Fax			

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☐ Assignee of record of the entire interest. See 37 CFR 3.71.

Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).

SIGNATURE of Applicant or Assignee of Record

Name	Dmitri V. Mavrodi
Signature	<i>Dmitri V. MAURODI</i>
Date	<i>November 25, 2001</i>

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

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☐ Assignee of record of the entire interest. See 37 CFR 3.71.

Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).

SIGNATURE of Applicant or Assignee of Record

Name	David M. Weller
Signature	<i>David M. Weller</i>
Date	December 3, 2001

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

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Patent and Trademark Office
ASSISTANT SECRETARY AND COMMISSIONER
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Washington, D.C. 20231

DECEMBER 14, 2001

USDA-ARS-OTT
MARGARET A. CONNOR
800 BUCHANAN ST.
ALBANY, CA 94710

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RECORDATION DATE: 12/13/2001

REEL/FRAME: 012234/0389
NUMBER OF PAGES: 2

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

THOMASHOW, LINDA S.

DOC DATE: 12/03/2001

ASSIGNOR:

WELLER, DAVID M.

DOC DATE: 12/03/2001

ASSIGNEE:

AGRICULTURE, UNITED STATES OF
AMERICA, AS REPRESENTED BY THE
SECRETARY OF, THE
WASHINGTON, D.C. 20250-1400

SERIAL NUMBER: 09965175

FILING DATE: 09/27/2001

PATENT NUMBER:

ISSUE DATE:

PAULA MCCRAY, EXAMINER
ASSIGNMENT DIVISION
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12/13/2001

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CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being facsimile transmitted to the U.S. Patent and Trademark Office, Facsimile No. 703-306-5995, on December 13, 2001.

Margaret A. Connor

Typed Name of Person Signing this Certificate

Margaret Connor

Signature

RECORDATION COVER SHEET
PATENTS ONLY

To The Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

Linda S. Thomashow
David M. Weller

Additional name(s) of conveying party(ies) attached? [] Yes [X] No

2. Name and address of receiving party(ies)

Name: The United States of America, as represented
by the Secretary of AgricultureCity: Washington, D.C. Zip: 20250-1400

Additional name(s) & address(es) attached? [] Yes [X] No

3. Nature of Conveyance:

☒ Assignment ☐ Merger
☐ Security Agreement ☐ Change of Name
☐ Other _____Execution Date: December 3, 2001

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is:

A. Patent Application No.(s) 09/965,175 Filed 09/27/2001 B. Patent No. _____

Additional numbers attached? [] Yes [X] No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Margaret A. Connor, Patent AttorneyInternal Address: USDA-ARS-OTTStreet Address: 800 Buchanan St.City: Albany State: CA Zip: 94710

6. Total number of applications and patents involved: [1]

7. Total Fee (37 CFR 3.41) \$ 40.00☐ Enclosed
☒ Authorized to be charged to Deposit Account8. Deposit Account Number: 23-1058

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9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Margaret A. Connor
Name of Person SigningMargaret Connor
SignatureDecember 13, 2001
Date

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Docket No.: 0229.99

Margaret A. Connor

Typed Name of Person Signing this Certificate

Margaret Connor
Signature

Patent

ASSIGNMENT

WHEREAS, WE, LINDA S. THOMASHOW and DAVID M. WELLER, both residing at Pullman, Washington, having jointly made an invention entitled SEQUENCES ENCODING PHZO AND METHODS with Shannon M. Delaney and Dmitri V. Mavrodi, for which we have made application for Letters Patent of the United States, Serial No. 09/965,175, filed September 27, 2001; and

WHEREAS, the WORLDWIDE patent rights in our share said invention are assignable to the United States by virtue of our having made the invention while in the employ of the United States Department of Agriculture under applicable law and regulations of the United States Department of Agriculture which render the patent rights so assignable; and

WHEREAS, the United States, as represented by the Secretary of Agriculture, is desirous of acquiring an assignment of said patent rights;

NOW, THEREFORE, in consideration of these premises, we hereby assign said WORLDWIDE patent rights to the United States of America, as represented by the Secretary of Agriculture.

Executed December 3, 2001

Linda S. Thomashow
LINDA S. THOMASHOW

Executed December 3, 2001

David M. Weller
DAVID M. WELLER

COPY



AUGUST 01, 2002

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MARGARET A. CONNOR, PATENT ATTORNEY
800 BUCHANAN ST.
USDA-ARS-OTT
ALBANY, CA 94710

Chief Information Officer
Washington, DC 20231
www.uspto.gov



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RECORDATION DATE: 05/29/2002

REEL/FRAME: 012942/0039
NUMBER OF PAGES: 4

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:
DELANEY, SHANNON M.

DOC DATE: 05/03/2002

ASSIGNOR:
MAVRODI, DMITRI V.

DOC DATE: 04/30/2002

ASSIGNEE:
WASHINGTON STATE UNIVERSITY
RESEARCH FOUNDATION
1610 N.E. EASTGATE BLVD.
PULLMAN, WASHINGTON 99163

SERIAL NUMBER: 09965175
PATENT NUMBER:

FILING DATE: 09/27/2001
ISSUE DATE:

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ASSIGNMENT DIVISION
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PATENTS ONLY

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1. Name of conveying party(ies):

Shannon M. Delaney
Dmitri V. Mavrodi

5-29-02

Additional name(s) of conveying party(ies) attached? ☐ Yes ☒ No

2. Name and address of receiving party(ies)

Name: Washington State University Research

Foundation

Street Address: 1610 N.E. Eastgate Blvd.

City/State: Pullman, Washington Zip: 99163

Additional name(s) & address(es) attached? ☐ Yes ☒ No

3. Nature of Conveyance:

☒ Assignment ☐ Merger
☐ Security Agreement ☐ Change of Name
☐ Other _____

Execution Date: May 3, 2002 and April 30, 2002

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is:

A. Patent Application No.(s) 09/965,175 Filed September 27, 2001 B. Patent No. _____

Additional numbers attached? ☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Margaret A. Connor, Patent Attorney

Internal Address: USDA-ARS-OTT

Street Address: 800 Buchanan St.

City: Albany State: CA Zip: 94710

6. Total number of applications and patents involved: [1]

7. Total Fee (37 CFR 3.41) \$ 40.00

☒ Enclosed (WSURF Check # 2841)

☐ Authorize to be charged to Deposit Account

8. Deposit Account Number: _____

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To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Margaret A. Connor
Name of Person Signing

Margaret Connor
Signature

May 29, 2002
Date

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ASSIGNMENT

WHEREAS, we, SHANNON M. DELANEY, of Schiller Park, County of Cook, State of Illinois, and DMITRI V. MAVRODI, of Pullman, County of Whitman, State of Washington, have invented a certain invention, entitled SEQUENCES ENCODING PHZO AND METHODS, for which we made a utility application for Letters Patent of the United States, said application having been filed on September 27, 2001, as Application No. 09/965,175; and

WHEREAS, WASHINGTON STATE UNIVERSITY RESEARCH FOUNDATION, a corporation organized under the laws of the State of Washington, having a place of business at 1610 N.E. Eastgate Blvd., Pullman, WA 99163, desires to acquire an interest therein:

NOW, THEREFORE, in consideration of good and valuable consideration, the receipt of which is hereby acknowledged, we, SHANNON M. DELANEY and DMITRI V. MAVRODI, hereby sell, assign and transfer to WASHINGTON STATE UNIVERSITY RESEARCH FOUNDATION, our full and exclusive right, title and interest in and to said invention, patent application and patent rights throughout the world, including foreign patent priority rights, the right to file and prosecute International Applications under the Patent Cooperation Treaty, and the right to file and prosecute applications under the European Patent Convention; said invention, application and letters patent in this or any foreign country, and all divisions, continuations, reissues and extensions thereof, to be held and enjoyed by WASHINGTON STATE UNIVERSITY RESEARCH FOUNDATION, for its own use and benefit, and for its successors and assigns to the full end of the term for which letters patent may be granted in this or any foreign country, as fully and entirely as the same would have been held by me had this assignment and sale not been made, and covenant that we have full right so to do, and agree that we will communicate to WASHINGTON STATE UNIVERSITY RESEARCH FOUNDATION, or its successors and assigns, any facts known to us respecting said invention, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing and reissue applications, make all rightful oaths, and do everything possible to aid WASHINGTON STATE

COPY

UNIVERSITY RESEARCH FOUNDATION, its successors and assigns to obtain and enforce proper patent protection for said invention in this or any foreign country.

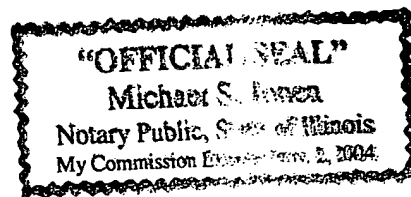
Executed at the place and date opposite our respective signatures below.

At CHICAGO, ILLINOIS
(City and State)

Shannon M. Delaney
SHANNON M. DELANEY

on this 3 day of MAY, 2002.

STATE OF ILLINOIS)
)
COUNTY OF COOK) SS.



This 3rd day of MAY, 2002, before me personally came the above-named SHANNON M. DELANEY, who executed the foregoing instrument in my presence, and who acknowledged to me that she executed the same of her own free will for the purposes set forth therein.

[Signature]
Notary Public for State of ILLINOIS
My Commission Expires: 11/2/04

[SEAL]

COPY

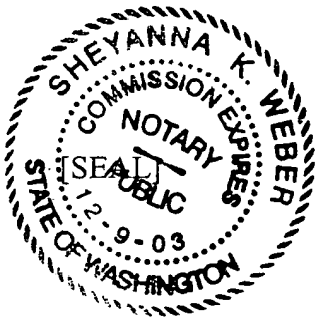
Dmitri Mavrodi
DMITRI V. MAVRODI

At Pullman, Washington
(City and State)

on this 30th day of April, 2002.

STATE OF WASHINGTON)
) ss.
COUNTY OF WHITMAN)

This 30th day of April, 2002, before me personally came the above-named DMITRI V. MAVRODI, who executed the foregoing instrument in my presence, and who acknowledged to me that he executed the same of his own free will for the purposes set forth therein.



Sheyanna K. Weber
Notary Public for State of Washington
My Commission Expires: 12-9-2003
Sheyanna K. Weber

COPY

Appl. No. 09/965,175
Attachment to Amendment
Reply to Office Action of July 29, 2003

PATENT

Certificate of Mailing by Express Mail

Express Mail No.: EF 246209175 US

Date of Deposit: October 29, 2003

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" under 37 CFR 1.10 on the date indicated above and is addressed to:
Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450

Depositor's Name: Margaret A. Connor

Depositor's Signature: *Margaret A. Connor*

Appl. No.	:	09/965,175	Confirmation No. 3943
Applicant	:	Linda S. Thomashow et al.	
Filed	:	September 27, 2001	
TC/A.U.	:	1652	
Examiner	:	Charles L. Patterson Jr.	
Docket No.	:	0229.99	
Customer No.	:	25278	

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

DECLARATION OF DEPOSIT OF BIOLOGICAL MATERIAL
IN ACCORDANCE WITH 35 U.S.C. 112

Linda S. Thomashow declares as follows:

She is a joint inventor with Shannon M. Delaney, Dmitri Mavrodi, and David M. Weller of the subject matter described and claimed in the above-identified application.

Statement of Deposit

Plasmids identified below were introduced into the designated host strains and the transformed strains were deposited under terms of the Budapest Treaty with Agricultural Research Service Culture Collection (NRRL) National Center for Agricultural Utilization Research, Agricultural Research Service, U.S. Department of Agriculture, 1815 North University Street, Peoria, Illinois 61604 USA on the date listed and given the following accession numbers:

COPY

Appl. No. 09/965,175
Attachment to Amendment
Reply to Office Action of July 29, 2003

PATENT

<u>Host</u>	<u>Plasmid</u>	<u>Accession No.</u>	<u>Date of Deposit</u>
<i>E. coli</i> JM109	pUC2.9XP, clone 12	NRRL B-30341	10/06/2000
<i>E. coli</i> JM109	pUC2.9XP, clone 16	NRRL B-30342	10/06/2000
<i>P. fluorescens</i> 2-79	pUC2.9XP, clone 12	NRRL B-30343	10/06/2000
<i>P. fluorescens</i> 2-79	pUC2.9XP, clone 12	NRRL B-30344	10/06/2000
<i>E. coli</i> JM 109	pGEM-PHZO	NRRL B-30345	10/11/2000
<i>E. coli</i> JM109	pGEM-PHZO	NRRL B-30346	10/11/2000

The depository affords permanence of the deposits and ready accessibility thereto by the public if a patent is granted, under conditions which assure (a) that access to the cultures will be available during pendency of the patent application to one determined by the Commissioner to be entitled thereto under 37 CFR 1.14 and 35 U.S.C. 122, and (b) that all restrictions, if any, on the availability to the public of the cultures so deposited will be irrevocably removed upon the granting of a patent. Copies of the NRRL deposit receipts and viability statements are attached.

The undersigned declares further that all statements made herein of her own knowledge are true and that all statements made on information and belief are believed true and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Executed October 27, 2003

Linda S. Thomashow
LINDA S. THOMASHOW

Enclosures:
NRRL Budapest Treaty Deposit Receipts
NRRL Budapest Treaty Viability Statements

COPY

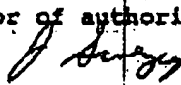
BUDAPEST TREATY ON THE INTERNATIONAL
RECOGNITION OF THE DEPOSIT OF MICROORGANISMS
FOR THE PURPOSE OF PATENT PROCEDURES

INTERNATIONAL FORM

TO
USDA, ARS
Lab 36 Johnson Hall
Washington State University
Pullman, WA 99164-6430

RECEIPT IN THE CASE OF AN ORIGINAL DEPOSIT
issued pursuant to Rule 7.1 by the
INTERNATIONAL DEPOSITARY AUTHORITY
identified at the bottom of this page

NAME AND ADDRESS
OF DEPOSITOR

I. IDENTIFICATION OF THE MICROORGANISM	
Identification reference given by the DEPOSITOR: <i>Escherichia coli</i> JM109p2.9xP-12	Accession number given by the INTERNATIONAL DEPOSITARY AUTHORITY: NRRL B-30341
II. SCIENTIFIC DESCRIPTION AND/OR PROPOSED TAXONOMIC DESIGNATION	
The microorganism identified under I. above was accompanied by: <input type="checkbox"/> a scientific description <input checked="" type="checkbox"/> a proposed taxonomic designation (Mark with a cross where applicable)	
III. RECEIPT AND ACCEPTANCE	
This International Depositary Authority accepts the microorganism identified under I. above, which was received by it on October 6, 2000 (date of the original deposit) ¹	
IV. RECEIPT OF REQUEST FOR CONVERSION	
The microorganism identified under I. above was received by this International Depositary Authority on _____ (date of the original deposit) and a request to convert the original deposit to a deposit under the Budapest Treaty was received by it on _____ (date of receipt of request for conversion).	
V. INTERNATIONAL DEPOSITARY AUTHORITY	
Name: Agricultural Research Culture Collection (NRRL) International Depositary Authority Address: 1815 N. University Street Peoria, Illinois 61604 U.S.A.	Signature(s) of person(s) having the power to represent the International Depositary Authority or of authorized official(s):  Date: 10-24-00

¹ Where Rule 6.4(d) applies, such date is the date on which the status of international
depositary authority was acquired.

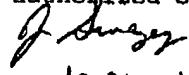
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NAME AND ADDRESS
OF DEPOSITOR

I. IDENTIFICATION OF THE MICROORGANISM	
Identification reference given by the DEPOSITOR: <i>Escherichia coli</i> JM109p2.9xP-16	Accession number given by the INTERNATIONAL DEPOSITARY AUTHORITY: NRRL B-30342
II. SCIENTIFIC DESCRIPTION AND/OR PROPOSED TAXONOMIC DESIGNATION	
The microorganism identified under I. above was accompanied by: <input type="checkbox"/> a scientific description <input checked="" type="checkbox"/> a proposed taxonomic designation (Mark with a cross where applicable)	
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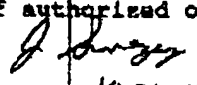
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NAME AND ADDRESS
OF DEPOSITOR

I. IDENTIFICATION OF THE MICROORGANISM	
Identification reference given by the DEPOSITOR: <i>Pseudomonas fluorescens</i> 2-79p2.9xP- 12(1)	Accession number given by the INTERNATIONAL DEPOSITARY AUTHORITY: NRRL B-30343
II. SCIENTIFIC DESCRIPTION AND/OR PROPOSED TAXONOMIC DESIGNATION	
The microorganism identified under I. above was accompanied by: <input type="checkbox"/> a scientific description <input checked="" type="checkbox"/> a proposed taxonomic designation (Mark with a cross where applicable)	
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V. INTERNATIONAL DEPOSITARY AUTHORITY	
Name: Agricultural Research Culture Collection (NRRL) International Depositary Authority Address: 1815 N. University Street Peoria, Illinois 61604 U.S.A.	Signature(s) of person(s) having the power to represent the International Depositary Authority or of authorized official(s):  Date: 10-24-00

¹ Where Rule 6.4(d) applies, such date is the date on which the status of international
depositary authority was acquired.

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NAME AND ADDRESS
OF DEPOSITOR

I. IDENTIFICATION OF THE MICROORGANISM	
Identification reference given by the DEPOSITOR: <i>Pseudomonas fluorescens</i> 2-79p2.9xP- 12(2)	Accession number given by the INTERNATIONAL DEPOSITARY AUTHORITY: NRRL B-30344
II. SCIENTIFIC DESCRIPTION AND/OR PROPOSED TAXONOMIC DESIGNATION	
The microorganism identified under I. above was accompanied by: <input type="checkbox"/> a scientific description <input checked="" type="checkbox"/> a proposed taxonomic designation (Mark with a cross where applicable)	
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V. INTERNATIONAL DEPOSITARY AUTHORITY	
Name: Agricultural Research Culture Collection (NRRL) International Depositary Authority Address: 1815 N. University Street Peoria, Illinois 61604 U.S.A.	Signature(s) of person(s) having the power to represent the International Depositary Authority or of authorized official(s): <i>J. Smiley</i> Date: 10-24-00

¹ Where Rule 6.4(d) applies, such date is the date on which the status of international
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OF DEPOSITOR

I. IDENTIFICATION OF THE MICROORGANISM	
Identification reference given by the DEPOSITOR: <i>Escherichia coli</i> JM109(pGEM-PH20)	Accession number given by the INTERNATIONAL DEPOSITARY AUTHORITY: NRRL B-30345
II. SCIENTIFIC DESCRIPTION AND/OR PROPOSED TAXONOMIC DESIGNATION	
The microorganism identified under I. above was accompanied by: <input type="checkbox"/> a scientific description <input checked="" type="checkbox"/> a proposed taxonomic designation (Mark with a cross where applicable)	
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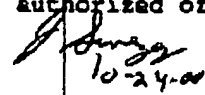
BUDAPEST TREATY ON THE INTERNATIONAL
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NAME AND ADDRESS
OF DEPOSITOR

I. IDENTIFICATION OF THE MICROORGANISM	
Identification reference given by the DEPOSITOR: <i>Escherichia coli</i> JM109(pGEM-PH20(2))	Accession number given by the INTERNATIONAL DEPOSITARY AUTHORITY: NRRL B-30346
II. SCIENTIFIC DESCRIPTION AND/OR PROPOSED TAXONOMIC DESIGNATION	
The microorganism identified under I. above was accompanied by: <input type="checkbox"/> a scientific description <input checked="" type="checkbox"/> a proposed taxonomic designation (Mark with a cross where applicable)	
III. RECEIPT AND ACCEPTANCE	
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Name: Agricultural Research Culture Collection (NRRL) International Depositary Authority Address: 1815 N. University Street Peoria, Illinois 61604 U.S.A.	Signature(s) of person(s) having the power to represent the International Depositary Authority or of authorized official(s):  Date: 10-24-00

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**BUDAPEST TREATY ON THE INTERNATIONAL RECOGNITION OF THE DEPOSIT
OF MICROORGANISMS FOR THE PURPOSE OF PATENT PROCEDURES**

INTERNATIONAL FORM

TO

USDA, ARS
Lab 36 Johnson Hall
Washington State University
Pullman, WA 99164-6430

VIABILITY STATEMENT

issued pursuant to Rule 10.2 by the
INTERNATIONAL DEPOSITARY AUTHORITY
identified at the bottom of this page

NAME AND ADDRESS OF THE PARTY TO WHOM
THE VIABILITY STATEMENT IS ISSUED

I. DEPOSITOR	II. IDENTIFICATION OF THE MICROORGANISM
Name: USDA, ARS Lab 36 Johnson Hall Address: Washington State University Pullman, WA 99164-6430	Depositor's taxonomic designation and accession number given by the INTERNATIONAL DEPOSITARY AUTHORITY: <i>Escherichia coli</i> NRRL B-10341 Date of: October 6, 2000 <input checked="" type="checkbox"/> ² Original Deposit <input type="checkbox"/> ² New Deposit <input type="checkbox"/> ² Repropagation of Original Deposit
III. (a) VIABILITY STATEMENT	
Deposit was found: <input checked="" type="checkbox"/> Viable <input type="checkbox"/> Nonviable on October 7, 2000 (Date) International Depositary Authority's preparation was found viable on October 23, 2000 (Date) ¹	
III. (b) DEPOSITOR'S EQUIVALENCY DECLARATION	
Depositor determined the International Depositary Authority's preparation was <input checked="" type="checkbox"/> ² Equivalent <input type="checkbox"/> ² Not equivalent to deposit on <u>November 16, 2000</u> (Date) Signature of Depositor <u>Linda S. Johnson</u>	
IV. CONDITIONS UNDER WHICH THE VIABILITY TEST WAS PERFORMED (Depositor/Depositary)	
V. INTERNATIONAL DEPOSITARY AUTHORITY	
Name: Agricultural Research Culture Collection (NRRL) International Depositary Authority Address: 1815 N. University Street Peoria, Illinois 61604 U.S.A.	Signature(s) of person(s) having the power to represent the International Depositary Authority or of authorized official(s): <u>[Signature]</u> Date: <u>10-24-00</u>

¹ Indicate the date of the original deposit or when a new deposit has been made.

² Mark with a cross the applicable box.

³ In the cases referred to in Rule 10.2(a)(ii) and (iii), refer to the most recent viability test.

⁴ Fill in if the information has been requested.

**BUDAPEST TREATY ON THE INTERNATIONAL RECOGNITION OF THE DEPOSIT
OF MICROORGANISMS FOR THE PURPOSE OF PATENT PROCEDURES**

INTERNATIONAL FORM

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USDA, ARS
Lab 36 Johnson Hall
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Pullman, WA 99164-6430

VIABILITY STATEMENT

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NAME AND ADDRESS OF THE PARTY TO WHOM
THE VIABILITY STATEMENT IS ISSUED

I. DEPOSITOR	II. IDENTIFICATION OF THE MICROORGANISM
<p>Name: USDA, ARS Lab 36 Johnson Hall Address: Washington State University Pullman, WA 99164-6430</p>	<p>Depositor's taxonomic designation and accession number given by the INTERNATIONAL DEPOSITARY AUTHORITY: <i>Escherichia coli</i> NRRL B-30342</p> <p>Date of: October 6, 2000</p> <p><input checked="" type="checkbox"/> ² Original Deposit <input type="checkbox"/> ² New Deposit <input type="checkbox"/> ² Repropagation of Original Deposit</p>
III. (a) VIABILITY STATEMENT	
<p>Deposit was found: <input checked="" type="checkbox"/> Viable <input type="checkbox"/> Nonviable on October 7, 2000 (Date)</p> <p>International Depositary Authority's preparation was found viable on October 23, 2000 (Date)³</p>	
III. (b) DEPOSITOR'S EQUIVALENCY DECLARATION	
<p>Depositor determined the International Depositary Authority's preparation was</p> <p><input checked="" type="checkbox"/> ² Equivalent <input type="checkbox"/> ² Not equivalent to deposit on <u>November 16, 2000</u> (Date)</p> <p>Signature of Depositor <u>Glenn J. Thomashow</u></p>	
IV. CONDITIONS UNDER WHICH THE VIABILITY TEST WAS PERFORMED (Depositors/Depository)	
V. INTERNATIONAL DEPOSITARY AUTHORITY	
<p>Name: Agricultural Research Culture Collection (NRRL) International Depositary Authority</p> <p>Address: 1815 N. University Street Peoria, Illinois 61604 U.S.A.</p>	<p>Signature(s) of person(s) having the power to represent the International Depositary Authority or of authorized official(s):</p> <p><u>[Signature]</u></p> <p>Date: <u>10-24-00</u></p>

¹ Indicate the date of the original deposit or when a new deposit has been made.

² Mark with a cross the applicable box.

³ In the cases referred to in Rule 10.2(a)(ii) and (iii), refer to the most recent viability test.

⁴ Fill in if the information has been requested.

BUDAPEST TREATY ON THE INTERNATIONAL RECOGNITION OF THE DEPOSIT
OF MICROORGANISMS FOR THE PURPOSE OF PATENT PROCEDURES

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VIABILITY STATEMENT

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NAME AND ADDRESS OF THE PARTY TO WHOM
THE VIABILITY STATEMENT IS ISSUED

I. DEPOSITOR		II. IDENTIFICATION OF THE MICROORGANISM	
Name: USDA, ARS Lab 36 Johnson Hall Address: Washington State University Pullman, WA 99164-6430		Depositor's taxonomic designation and accession number given by the INTERNATIONAL DEPOSITARY AUTHORITY: <i>Pseudomonas fluorescens</i> NRRL B-30343 Date of: October 6, 2000 <input checked="" type="checkbox"/> : Original Deposit <input type="checkbox"/> : New Deposit <input type="checkbox"/> : Repropagation of Original Deposit	
III. (a) VIABILITY STATEMENT			
Deposit was found: <input checked="" type="checkbox"/> Viable <input type="checkbox"/> Nonviable on October 7, 2000 (Date) International Depositary Authority's preparation was found viable on October 23, 2000 (Date) ¹			
III. (b) DEPOSITOR'S EQUIVALENCY DECLARATION			
Depositor determined the International Depositary Authority's preparation was <input checked="" type="checkbox"/> : Equivalent <input type="checkbox"/> : Not equivalent to deposit on November 16, 2000 (Date) Signature of Depositor <i>Gunda Thomas</i>			
IV. CONDITIONS UNDER WHICH THE VIABILITY TEST WAS PERFORMED (Depositor/Depository)			
V. INTERNATIONAL DEPOSITARY AUTHORITY			
Name: Agricultural Research Culture Collection (NRRL) International Depositary Authority Address: 1815 N. University Street Peoria, Illinois 61604 U.S.A.		Signature(s) of person(s) having the power to represent the International Depositary Authority or of authorized official(s): <i>[Signature]</i> Date: 10-24-00	

¹ Indicate the date of the original deposit or when a new deposit has been made.
² Mark with a cross the applicable box.

³ In the cases referred to in Rule 10.2(a)(iii) and (iii), refer to the most recent viability test.
⁴ Fill in if the information has been requested.

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THE VIABILITY STATEMENT IS ISSUED

I. DEPOSITOR Name: USDA, ARS Lab 36 Johnson Hall Address: Washington State University Pullman, WA 99164-6430	II. IDENTIFICATION OF THE MICROORGANISM Depositor's taxonomic designation and accession number given by the INTERNATIONAL DEPOSITARY AUTHORITY: <i>Pseudomonas fluorescens</i> NRRL B-30344 Date of: October 6, 2000 <input checked="" type="checkbox"/> ¹ Original Deposit <input type="checkbox"/> ² New Deposit <input type="checkbox"/> ³ Repropagation of Original Deposit		
III. (a) VIABILITY STATEMENT Deposit was found: <input checked="" type="checkbox"/> Viable <input type="checkbox"/> Nonviable on October 7, 2000 (Date) International Depositary Authority's preparation was found viable on October 23, 2000 (Date) ³			
III. (b) DEPOSITOR'S EQUIVALENCY DECLARATION Depositor determined the International Depositary Authority's preparation was <input checked="" type="checkbox"/> ¹ Equivalent <input type="checkbox"/> ² Not equivalent to deposit on <u>November 14, 2000</u> (Date) Signature of Depositor <u>Kenneth Thomason</u>			
IV. CONDITIONS UNDER WHICH THE VIABILITY TEST WAS PERFORMED (Depositor/Depository) 			
V. INTERNATIONAL DEPOSITARY AUTHORITY <table border="1"> <tr> <td data-bbox="115 1556 748 1757"> Name: Agricultural Research Culture Collection (NRRL) International Depositary Authority Address: 1815 N. University Street Peoria, Illinois 61604 U.S.A. </td> <td data-bbox="748 1556 1453 1757"> Signature(s) of person(s) having the power to represent the International Depositary Authority or of authorized official(s): <u>[Signature]</u> Date: <u>10-24-00</u> </td> </tr> </table>		Name: Agricultural Research Culture Collection (NRRL) International Depositary Authority Address: 1815 N. University Street Peoria, Illinois 61604 U.S.A.	Signature(s) of person(s) having the power to represent the International Depositary Authority or of authorized official(s): <u>[Signature]</u> Date: <u>10-24-00</u>
Name: Agricultural Research Culture Collection (NRRL) International Depositary Authority Address: 1815 N. University Street Peoria, Illinois 61604 U.S.A.	Signature(s) of person(s) having the power to represent the International Depositary Authority or of authorized official(s): <u>[Signature]</u> Date: <u>10-24-00</u>		

¹ Indicate the date of the original deposit or when a new deposit has been made.
² Mark with a cross the applicable box.

³ In the cases referred to in Rule 10.2(a)(ii) and (iii), refer to the most recent viability test.

⁴ Fill in if the information has been requested.

**BUDAPEST TREATY ON THE INTERNATIONAL RECOGNITION OF THE DEPOSIT
OF MICROORGANISMS FOR THE PURPOSE OF PATENT PROCEDURES**

INTERNATIONAL FORM

TO

USDA, ARS
Lab 36 Johnson Hall
Washington State University
Pullman, WA 99164-6430

VIABILITY STATEMENT

issued pursuant to Rule 10.2 by the
INTERNATIONAL DEPOSITARY AUTHORITY
identified at the bottom of this page

NAMES AND ADDRESS OF THE PARTY TO WHOM
THE VIABILITY STATEMENT IS ISSUED

I. DEPOSITOR Name: USDA, ARS Lab 36 Johnson Hall Address: Washington State University Pullman, WA 99164-6430	II. IDENTIFICATION OF THE MICROORGANISM Depositor's taxonomic designation and accession number given by the INTERNATIONAL DEPOSITARY AUTHORITY: <i>Escherichia coli</i> NRRL B-30345 Date of: October 11, 2000 <input checked="" type="checkbox"/> : Original Deposit <input type="checkbox"/> : New Deposit <input type="checkbox"/> : Repropagation of Original Deposit		
III. (a) VIABILITY STATEMENT Deposit was found: <input checked="" type="checkbox"/> viable <input type="checkbox"/> Nonviable on October 12, 2000 (Date) International Depositary Authority's preparation was found viable on October 23, 2000 (Date) ¹			
III. (b) DEPOSITOR'S EQUIVALENCY DECLARATION Depositor determined the International Depositary Authority's preparation was <input checked="" type="checkbox"/> : Equivalent <input type="checkbox"/> : Not equivalent to deposit on <u>November 16, 2000</u> (Date) Signature of Depositor <u><i>David S. Thomas</i></u>			
IV. CONDITIONS UNDER WHICH THE VIABILITY TEST WAS PERFORMED (Depositor/Depository) 			
V. INTERNATIONAL DEPOSITARY AUTHORITY <table border="1"> <tr> <td data-bbox="138 1554 771 1743"> Name: Agricultural Research Culture Collection (NRRL) International Depositary Authority Address: 1815 N. University Street Peoria, Illinois 61604 U.S.A. </td> <td data-bbox="771 1554 1469 1743"> Signature(s) of person(s) having the power to represent the International Depositary Authority or of authorized official(s): <u><i>[Signature]</i></u> Date: <u>10-24-00</u> </td> </tr> </table>		Name: Agricultural Research Culture Collection (NRRL) International Depositary Authority Address: 1815 N. University Street Peoria, Illinois 61604 U.S.A.	Signature(s) of person(s) having the power to represent the International Depositary Authority or of authorized official(s): <u><i>[Signature]</i></u> Date: <u>10-24-00</u>
Name: Agricultural Research Culture Collection (NRRL) International Depositary Authority Address: 1815 N. University Street Peoria, Illinois 61604 U.S.A.	Signature(s) of person(s) having the power to represent the International Depositary Authority or of authorized official(s): <u><i>[Signature]</i></u> Date: <u>10-24-00</u>		

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BUDAPEST TREATY ON THE INTERNATIONAL RECOGNITION OF THE DEPOSIT
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NAME AND ADDRESS OF THE PARTY TO WHOM
THE VIABILITY STATEMENT IS ISSUED

I. DEPOSITOR		II. IDENTIFICATION OF THE MICROORGANISM	
Name: USDA, ARS Lab 36 Johnson Hall Address: Washington State University Pullman, WA 99164-6430		Depositor's taxonomic designation and accession number given by the INTERNATIONAL DEPOSITARY AUTHORITY: <i>Escherichia coli</i> NRRL B-30346	
		Date of: October 12, 2000 <input checked="" type="checkbox"/> ¹ Original Deposit <input type="checkbox"/> ² New Deposit <input type="checkbox"/> ³ Repropagation of Original Deposit	
III. (a) VIABILITY STATEMENT			
Deposit was found: <input checked="" type="checkbox"/> Viable <input type="checkbox"/> Nonviable on October 12, 2000 (Date)			
International Depositary Authority's preparation was found viable on October 23, 2000 (Date) ³			
III. (b) DEPOSITOR'S EQUIVALENCY DECLARATION			
Depositor determined the International Depositary Authority's preparation was <input checked="" type="checkbox"/> ¹ Equivalent <input type="checkbox"/> ² Not equivalent to deposit on <u>November 16, 2000</u> (Date)			
Signature of Depositor <u>Ginda S. Thomason</u>			
IV. CONDITIONS UNDER WHICH THE VIABILITY TEST WAS PERFORMED (Depositor/Depository):			
V. INTERNATIONAL DEPOSITARY AUTHORITY			
Name: Agricultural Research Culture Collection (NRRL) International Depositary Authority		Signature(s) of person(s) having the power to represent the International Depositary Authority or of authorized official(s): <u>[Signature]</u>	
Address: 1815 N. University Street Peoria, Illinois 61604 U.S.A.		Date: <u>10-24-00</u>	

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